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April Reeves
April Reeves

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

C. Case *et al.*

Application No.: 09/925,796

Filed: August 9, 2001

For: FUNCTIONAL GENOMICS USING
ZINC FINGER PROTEINS

Examiner: John S. Brusca

Group Art Unit: 1631

Confirmation No.: 5123

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Sangamo BioSciences, Inc. (the Assignee) is the owner of the entire right, title and interest in the instant application, by virtue of an Assignment recorded in the present application on September 27, 2001 at Reel 012004, Frame 0772; and an Assignment recorded in parent application Serial No. 09/395,448 on October 29, 1999 at Reel 010362, Frame 0609.

2. The Assignee is also the owner of the entire right, title and interest in US Patent Application Serial No. 09/941,450 by virtue of an assignment recorded on August 28, 2001 at Reel 012130, Frame 0526.

3. The assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the above-captioned application Serial No. 09/925,796 which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154-156 and 173 of any patent granted on pending application 09/941,450. Assignee further agrees that any patent granted on the above-captioned application Serial No.

09/925,796 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on pending application 09/941,450; this agreement to run with any patent granted on the above-captioned application Serial No. 09/925,796 and to be binding upon the grantee, its successors or assigns.

4. In making this disclaimer, the assignee does not disclaim the terminal part of any patent granted on the above-captioned application Serial No. 09/925,796 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of any patent granted on pending application 09/941,450; in the event that any of the aforementioned patents or patent applications later (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid by a court of competent jurisdiction, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, (e) has all claims cancelled by a reexamination certificate, (f) is reissued, or (g) is, in any manner, terminated prior to the expiration of its full statutory term.

5. The undersigned is an agent of record in the instant application by virtue of a Power of Attorney by Assignee dated September 17, 2001 and mailed to the USPTO on September 27, 2001.

6. A check in the amount of \$110.00 for a Terminal Disclaimer fee under 37 C.F.R. § 1.20(d) is included.

Respectfully submitted,

Date: February 5, 2004

By: 

Sean M. Brennan
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